



# YOUTH CURFEW REPORT

Sarah Morris, Claire Ryan and Tara Alexander

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Please note: The Youth Minister's Round Table of Young Territorians is an independent advisory council. The views expressed in this report are those of the authors and are not necessarily those of the Office of Youth Affairs or the Northern Territory Government.

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## **Abbreviations**

ABC	Australian Broadcasting Corporation
ASTC	Alice Springs Town Council
CBD	Central Business District
CLP	Country Liberal Party
LRA	Law Reform Society
NT	Northern Territory
NTG	Northern Territory Government
WA	Western Australia

## **Acknowledgments**

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- All the interview participants.
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- Our family and friends for their invaluable patience and help.

## **Executive Summary**

The Youth Curfew Team focused their project on exploring the concept of the Alice Springs Town Council's proposed youth curfew and the impact on the community and its inhabitants. Through extensive consultations and surveys of 430 members of the community we wanted to find out the effectiveness of the proposed youth curfew.

Youth curfews are a highly controversial issue that not only affect youth, but all members of the community as they require concessions and contributions from many groups such as police, youth organisations, parents/guardians and the general public.

Our findings, indicated that the proposed youth curfew was not suitable to the Alice Springs Precinct. The curfew was simply not viable in regards to issues such as geographical and operational constraints, resource and funding allocation and general public disapproval. We found that the youth curfew would have little effect on the long term safety and well-being of the residents of Alice Springs and would not address the immediate needs of solving social issues that contribute to youth crime and violence. Not only is the youth curfew draconian, but also unnecessary and an infringement on the rights of young people.

Our recommendations call for more investment and engagement with young people by funding and advancing already in place community and youth organisations. As well as supporting further community debate on the real issues behind youth problems. We believe that by addressing extensive social problems that exist in our society, this would be a better allocation of funding and resources to ultimately lead to a reduction in youth crime and violence within the Alice Springs community.

## **Introduction**

The Youth Minister's Round Table of Young Territorians (Youth Round Table) is a non-political, youth-orientated advisory group to the Northern Territory Government. The Youth Curfew Team is made up of members from the Youth Round Table who have a particular interest in the affairs and wellbeing of those in the Central Australian region. The team's three members (Sarah Morris, Tara Alexander and Claire Ryan) decided to research the Alice Springs Town Council's proposed youth curfew in Alice Springs as a significant issue facing young people in the Territory. We took particular interest as we felt that the community, and in particular, young people, had not been consulted in regards to the issue.

Youth curfews are generally defined as government/community initiatives that prevent children or teenagers from being in public spaces during a certain time period. Youth curfews can be imposed to maintain public order, or to suppress targeted groups i.e. young people. The use of curfews varies as there are six areas of criteria; age, hours of operation, location, primary rationale (dealing with youth antisocial behaviour, protection of children), implementation and enforcement.

Youth curfews are a highly controversial issue and the effectiveness of implementing a youth curfew in Alice Springs has been hotly debated and contested. Youth curfews are large scale projects that require concessions and contributions from all members of the community and will affect many groups including the government, youth service providers, police, parents/guardians, youths and the general public.

The aim of this project is to produce a consultation-based report on the opinions of members of the Alice Springs community as well as evaluating the effectiveness of the youth curfew in reducing crime and increasing safety in the Alice Springs community. The report will investigate how the curfew will be implemented and maintained, as well as exploring the pros and cons of the youth curfew and how it will affect different groups and individuals of the Alice Springs community. Ultimately, the report will decide if the Alice Springs youth curfew would be appropriate and be able to be determined as a success, if implemented.

## **Major Findings**

In order to discover the general consensus of the wider community, the youth curfew team researched and interviewed many different community groups, political parties and informed individuals.

### **Alice Springs Town Council**

The Alice Springs Town Council agrees unanimously that security and youth issues are paramount. In late November 2006, Alderman Lambley of the council, in response to community outcry, put forward a motion regarding youth safety. The proposed model was called the 'Night Time Youth Strategy' and the motion was to allow *'unsupervised (not in the care of an appropriate adult) children under the age of 15, found on the streets or any other public places during the hours of 10pm and 5am, to be taken into protective care and custody'*.<sup>1</sup>

This motion was passed and a letter outlining this proposal was sent to the Northern Territory Government. Effectively this proposal was created to deal with the needs of the Alice Springs community as a means of addressing the need to protect unsupervised children wandering the streets of Alice Springs. The council also felt that this proposal would control the problems of youth violence and youth crime within the community.

Furthermore, the council requested the Northern Territory Government support their request for a suitable curfew in Alice Springs. The council's request to government was that the government would create a holding and processing centre where children would be taken for protective custody, as well as police and community youth organisations working collaboratively together to achieve desired outcomes of the Night Time Youth Strategy.

### **Northern Territory Government**

The Northern Territory Government agrees with the police and youth services that implementing a youth curfew in Alice Springs wouldn't work.

Government acknowledges that the level of antisocial behaviour in Alice Springs and the number of young people on the streets is too high. Government also believes that curfews are indiscriminate. When consulting with the police they have said that youth antisocial behaviour and violence is normally led by a few ringleaders. The police spend their time and resources dealing with these individuals rather than young people who are not causing any problems. The police have a range of powers to deal with young people who are involved in antisocial behaviour.

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<sup>1</sup> Alice Springs Town Council Minutes, 27/11/2006

The government has created a Youth Strategy to help combat youth antisocial behaviour and violence. The strategy involves police, youth patrols, night patrols and youth services working together.

In response to the council's proposed 'Night Time Youth Strategy', which is based on the Northbridge curfew, government believes it wouldn't work. Northbridge in Perth is a nightclub precinct. The Western Australian Government has stated that the Northbridge model is not appropriate for anything other than a nightclub precinct. They are not considering using this model in any regional cities in Western Australia.

The Hon Delia Lawrie MLA who was previously the Minister for Family and Community Services stated that '*...the major issue with a curfew is that it will not target those who are causing the trouble. Young people who are engaging in serious assaults are not going to be deterred by a curfew.*'<sup>2</sup>

Not everyone in Alice Springs is convinced and impressed about government's action on youth antisocial behaviour and violence in Alice Springs. One constituent expressed their concern in the opinion page of the Centralian Advocate (03/04/2007). '*The Territory Government's curt refusal to consider a proposal for a youth curfew suggests the Martin ministry is out of touch with life on the streets of Alice Springs. Whether such a curfew would work or not is not for us to say, but surely it would be worth a thorough look. We are owed that at least.*'<sup>3</sup> The letter then goes on to say '*...it seems our police are so busy attending to the string of incidents of violence and criminal damage by gangs of young folk at night, that they have no one left to man the phones. A curfew might buy us a degree of peace.*'

## **Academic Research**

In a report created by the Australian Institute of Criminology on '*Police and community responses to youth gangs*' it examines curfews and anti-loitering laws. It states that '*...their (youth curfew) success is best guaranteed when coercive measures are accompanied by opportunity enhancement measures.*'<sup>4</sup> Having a successful curfew would mean you would need to include leisure activities, educational activities and musical forums.

The report also goes on to state that there would still be negative implications even if those coercive measures are used '*...negative implications they hold for human rights and freedoms, and whether they may inadvertently criminalize youth behaviour that is in and of itself not illegal or criminal.*'<sup>5</sup> This

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<sup>2</sup> *Alice ultimatum on youth curfew*, Rebecca Lollback, Centralian Advocate – News, pg. 05 dated 16/03/2007

<sup>3</sup> *Time to tap into mood for change*, Centralian Advocate – Editorial, opinion Pg. 08 dated 03/04/2007

<sup>4</sup> Trends & Issues in Crime and Criminal Justice – No. 274: Police and community responses to youth gangs, Rob White, March 2004, Australian Government, Australian Institute of Criminology

<sup>5</sup> Ibid

supports the Northern Territory Government's stance that a curfew would be indiscriminate.

Rob White who lectures in Criminology at the University of Tasmania wrote a discussion paper which explores the case against youth curfews. Rob White states that, '...in many quarters curfews are being touted as the "next best thing" in youth crime prevention...'<sup>6</sup> He believes that youth curfews can be very intrusive into young people's lives. It is clearly stated throughout this discussion paper that youth curfews are '...neither fair nor effective and will certainly not reduce crime.'<sup>7</sup>

The first argument that Rob White explores is *Youth curfews arbitrarily and unnecessarily discriminate against young people on the basis of their age*. He believes the discrimination goes against youth rights. The United Nations General Assembly adopted the Convention on the Rights of the Child. This Convention came into effect when a number of countries including Australia ratified this. One section of the Convention states that 'young people should have freedom of association and movement.'<sup>8</sup>

There are many people in the Northern Territory who also believe that this is discrimination against youth. Terry O'Gorman the president of the Australian Council of Civil Liberties said that '*...a youth curfew proposed by the Northern Territory Country Liberal Party (CLP) is discriminatory and contravenes young people's rights.*'<sup>9</sup> He believes that the Territory's young Indigenous population will be particularly affected '*...the impacts will hit most harsh black population of the Northern Territory.*'<sup>10</sup> Mr. O'Gorman believes that this is a very dangerous proposal as there is a possibility that it will '*...invite the sort of abuse of police power that almost invariably happens when you give police wide discretion that is in effect unable to be controlled.*'<sup>11</sup>

In 2005, a fifteen year old boy won a landmark High Court ruling against the legality of Britain's child curfew zone. The case was against his local council and the London Police. The curfew gave the right for police to remove any child under the age of 16 unaccompanied by an adult after 9 pm. The argument used by the plaintiff party was that '*...the use of curfews infringed his right to liberty under the European Convention on Human Rights and discriminated against him because he was a child.*'<sup>12</sup> Lord Justice Brooke decided that '*...everyone should have the right to "walk the streets without*

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<sup>6</sup> *Ten Arguments against youth curfews*, Rob White – Professor of Criminology at University of Tasmania, Youth Studies Australia, Volume 15, number 4

<sup>7</sup> *Ten Arguments against youth curfews*, Rob White – Professor of Criminology at University of Tasmania, Youth Studies Australia, Volume 15, number 4

<sup>8</sup> United Nations, Convention on the Rights of the Child

<sup>9</sup> *Civil Liberties chief attacks youth curfew plan*, ABC Election Coverage: 2005 Northern Territory Election, 08/06/2005,

<http://www.abc.net.au/news/items/200506/1386977.htm?elections/nt/2005>, accessed 17/05/2007

<sup>10</sup> Ibid

<sup>11</sup> Ibid

<sup>12</sup> *Teen wins ruling against youth curfew*, Reuters, 20/07/2005 ABC News online, <http://www.abc.net.au/news/newsitems/200507/s1418865.htm>, accessed 05/17/2007

interference from police”.<sup>13</sup> The lawyers of this young man said that ‘This is a victory for the presumption of innocence, and the right of everyone, no matter what their age, not to be subjected to coercive powers without good cause’.<sup>14</sup> The 15 year old boy then went on to say “Of course I have no problem with being stopped by the police if I've done something wrong. But they shouldn't be allowed to treat me like a criminal just because I'm under 16 years of age.”<sup>15</sup>

Rob White furthers the discrimination argument by saying that *youth curfews are premised on the idea of young people as threats to the community, not as valued members of the community*. Young people need to feel a sense of involvement within the community and need to have their basic rights and identities respected rather than being treated as outsiders and “the enemy”.

This goes into another major argument against curfews, *Youth curfews are invariably applied in a discriminatory fashion*. That policing is overpowering and ‘...directed at the least powerful and most vulnerable social groups in society’.<sup>16</sup> The minority groups that will be most affected are Indigenous young people, unemployed and homeless youth and ethnic minority young people.

There have been many cases where youth curfews have been accused of singling out the minorities. An article written by the Melbourne Age newspaper explored the racial tension with the Northbridge model. Mark Russell reported that the curfew reminded some people of the 1940s laws that excluded all Aborigines from the city centre after 6pm. Anne Russell-Brown from Mission Australia WA said that “It's not being said that only Indigenous children are being targeted, but it's unlikely a couple of Anglo-Saxon kids who are just going about their business, who can afford to go into a coffee shop and have a coffee, are going to come to the attention of the police.”<sup>17</sup> Aboriginal Labor MP Carol Martin walked out of a caucus meeting accusing the WA Premier of “Policy on the run”. She said that this curfew did nothing to tackle the reasons why bored, aimless youth roamed city streets.

Rob White also states that *Youth curfews will criminalize non-criminal behaviour*. This supports the Northern Territory Government's stance that curfews are indiscriminate. Young people will be punished for doing something that isn't antisocial or criminal. Like the police and Territory Government have expressed, the police have better things to do than waste their resources and time on youth who are on the streets who are not breaking the law.

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<sup>13</sup> Ibid

<sup>14</sup> *Referendum necessary*, Marvyn McKenzie, The Transcontinental – Letters to the Editor, dated 14/02/2007

<sup>15</sup> *Teen wins ruling against youth curfew*, Reuters, 20/07/2005 ABC News online, <http://www.abc.net.au/news/newsitems/200507/s1418865.htm>, accessed 05/17/2007

<sup>16</sup> *Ten Arguments against youth curfews*, Rob White – Professor of Criminology at University of Tasmania, Youth Studies Australia, Volume 15, number 4

<sup>17</sup> *Curfew provides black and white response to a grey area of racial tension*, Mark Russell, the Age, 05/07/2003, <http://www.theage.com.au/articles/2003/07/04/1057179157225.html>, accessed 17/05/2007

Another argument against the implementation of youth curfews is that *youth curfews will increase conflicts between young people and the police*. Rob White believes that these measures will increase ‘...young people’s feelings of being unfairly treated and targeted by police.’<sup>18</sup> The Lawyers Reform Association (LRA) commented on the NSW youth Curfew debate in 2003. Michael Antrum who is President of the LRA stated that ‘This is a policy guaranteed to introduce more young people to the juvenile justice system, and will have the distinction of ensuring that even more children are introduced to the notion of “police as enemy”.’<sup>19</sup> In response to this statement the LRA suggested that young people need safe, local and age-appropriate spaces to socialise, hangout and sometimes, get help.

Rob White also agrees with the LRA that *Youth curfews will increase the likelihood of some young people being drawn even further into the criminal justice net*. Some young people will unnecessarily come under the gaze of the legal system for no reason other than being in the wrong place at the wrong time.

One major area that Rob White explores is that *youth curfews do not take into account different family and parenting contexts*. Youth curfews may indirectly penalise some social groups due to differences in parenting practices relative to the mainstream middle-class ideal. Parenting practices will change from household to household.

From all these arguments Rob White concludes that youth curfews are negative and coercive; however, much more positive and developmental ways of engaging with young people are possible. He believes that measures like employment of youth and community workers to assist street-present young people. Another suggestion is as simple as including young people in negotiations (local councils, developers etc...)

### **Country Liberal Party: Northern Territory Opposition**

The Country Liberal Party has supported the idea of youth curfew for Alice Springs since before the last election in 2005. Jodeen Carney, Leader of the Opposition, has previously said that ‘*The CLP’s position is clear. We support curfews and will work with parents, community groups and police to ensure an effective curfew. The CLP has a Zero Tolerance Policy when it comes to anti-social behaviour and as part of that, children should not be left to roam the streets causing trouble or getting into trouble.*’<sup>20</sup>

While the CLP is yet to release a formal policy document about the youth curfew, they have planned to release an official policy which will be launched

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<sup>18</sup> *Ten Arguments against youth curfews*, Rob White – Professor of Criminology at University of Tasmania, Youth Studies Australia, Volume 15, number 4

<sup>19</sup> Law Reform Society, *New South Wales youth curfew debate 2003*, Michael Antrum

<sup>20</sup> Media Release – Jodeen Carney MLA Leader of the Opposition, ‘*Security Cameras and Curfew: Alice Springs Town Council Finally Cathes Up*’, 14/11/2006

before the next election. The CLP has called for an increase in police numbers and for a more combined effort by police and youth/welfare agencies to combat youth violence issues and enforce the proposed youth curfew. The curfew's boundaries would likely to be concentrated within the Alice Springs CBD, but would apply to all areas inside the town boundary. Breaches would primarily be a responsibility of the police and courts and enforced accordingly.

With no formal document released, it is likely that the curfew would extend to children who are 17 years and younger (2005 election promise). The curfew would be in place from midnight to 5:00 am. In regards to whether all children or just children disrespecting the community would be targeted, the Opposition Leader responded, "*it would essentially be aimed at law breakers, however we are concerned about all young people roaming the streets... welfare and law enforcement measures would target both groups*".<sup>21</sup> The Country Liberal Party has also gone on to say that they will introduce juvenile diversion programs to give young people more options.

In response to the NT Government's refusal of the Alice Springs Town Council's proposal, the Opposition Leader, Jodeen Carney, voiced her disapproval by saying "*it should (Northern Territory Government) support the Council's youth curfew and provide funds for security cameras*".<sup>22</sup>

## **Community Organisations**

There are many community and youth organisations, such as Congress, Gap Youth Centre and Alice Springs Youth Accommodation and Support Services (ASYASS) that are against the proposal of a youth curfew in Alice Springs.

In an ABC Alice Springs interview, Alice Spring's youth workers voiced their anger and disappointment over the council's decision to back a youth curfew. After-hours drop-in centre coordinator Tony Corcoran attended the meeting as one of the representatives of the youth sector and was critical of the plan. He described it as 'a knee-jerk policy'.<sup>23</sup>

Sara who was the Manager for ASYASS addressed the council about the implementation of a youth curfew. She stated that researchers and criminologists found that curfews do not fix the problem and that the motion could be seen as discriminatory. She put forward some other options to consider instead like providing safe and affordable entertainment after hours, provision of after hours crisis services, early intervention strategies, free and confidential counselling services and better access to public housing.

Donna Ah Chee, Deputy Director of Central Australian Aboriginal Congress in Alice Springs wrote to the Centralian Advocate expressing her concern stating that the curfew claims were short on evidence. The Deputy Mayor was asked

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<sup>21</sup> Ibid

<sup>22</sup> Media Release – Jodeen Carney MLA Leader of the Opposition, 'A death mask for Alice in 10?', dated 20/04/2007

<sup>23</sup> ABC Alice Springs – 'Youth workers unhappy with council's curfew support', dated 28/11/06.

to provide specific research evidence of the success of the Northbridge model. Congress was referred to the report on the young people in the Northbridge Policy. Ms Ah Chee states that this document doesn't provide adequate basis for supporting the Alice Springs Town Council's proposal for a youth curfew. There are three main reasons for it.

She explains that '...the report was not prepared by anyone at arm's length from the experiment, and the Western Australian Government is hardly likely to publish anything that shows one of its controversial policies as deeply flawed.'<sup>24</sup> Secondly the report doesn't take into account what is happening outside the Northbridge precinct. There is no indication if the impact of the curfew has been pushed to another area of Perth. The last argument that Ms Ah Chee expresses is that '...the report makes no efforts to examine the impact of the policy on children and their families, which the Deputy Mayor says is remarkable.'<sup>25</sup> She believes that this document doesn't constitute evidence that this policy is of any benefit to the city as a whole.

Ms Ann Tregoe, Gap Youth Centre Director also believes that funding existing programs will keep youth off the streets. The Gap Youth Centre is the only place in town that runs a late night program. She believes that funding initiatives like these are necessary, not a curfew. She stated her frustration to the Centralian Advocate over these issues, 'I'm disappointed that they (Alderman Lambley and Murray Stewart) are persisting with this line – it has been dismissed by Delia Lawrie, so why are they persisting?'<sup>26</sup>

## **Police Involvement**

President of the Northern Territory Police Association, Vince Kelly, was quoted "Quite simply, the concept of a youth curfew would be very difficult to implement". Kelly believes that the success of the strategy will rely on police numbers and that the Northern Territory Police Force currently does not have the resources to do what is being proposed by the council. Kelly then went on to say that he was concerned of the message that the curfew sends out: "The Royal Commission into Aboriginal Deaths in Custody wanted to move away from putting particularly young Aboriginal people into custody. It would appear to me that part of this strategy is aimed at Indigenous young people... it's effectively still locking people up".<sup>27</sup>

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<sup>24</sup> *Curfew claims are short of evidence*, Donna Ah Chee, Centralian Advocate – Opinion section, dated 22/12/2006

<sup>25</sup> *Ibid*

<sup>26</sup> *Deputy mayor wants to rethink curfew*, Daniel Burdon, Centralian Advocate –News, pg. 04, dated 13/09/2007

<sup>27</sup> ABC Alice Springs - *Night Time Youth Strategy*, dated 17/11/07

## Northbridge Curfew: Other Models

The Alice Springs Town Council has based their proposed Youth Strategy from other models such as the Northbridge model in Perth, Western Australia. The Northbridge Curfew was implemented in Perth in mid 2003 to address the need to curb juvenile anti-social behaviour. The Northbridge precinct is a highly developed area with many businesses, restaurants and adult entertainment establishments. The WA Government created this curfew to coincide with their decision that unaccompanied, unsupervised and vulnerable children on the streets in an adult entertainment precinct during the hours of darkness presented a physical and moral danger to these children.<sup>28</sup>

The Policy operates under Section 41 of the *Children and Community Services Act 2004 (WA)* that authorises

*“ a police officer (or authorised officer) to move an unsupervised child to a safe place, if that officer reasonably believes that there is a ‘risk to the well-being of the child because of the nature of the place where the child is found, the behaviour or vulnerability of the child at that place or any other circumstance’ ”.*<sup>29</sup>

Effectively this curfew decreed that children under the age of 12 years could not be in the Northbridge precinct without their parent or guardian after dark and that young people aged between 13 – 15 years of age could not be in the precinct after 10:00 pm. The curfew could also apply to ‘*children and young people who by their anti-social, offending or health compromising behaviour*’ are at risk to themselves and others.<sup>30</sup> This could be extended to mean that a young person who was acting in a violent or intimidating manner or under the influence of a substance (i.e. alcohol, cannabis) or who was soliciting or begging, could be removed off the streets and taken into immediate care.

The four phases to support this policy were ‘Outreach and Engagement’ (youth, government and police organisations working across Northbridge to identify young people ‘at risk’ to engage and support these young people), ‘Processing’ (police organisations taking children who are deemed to be in physical and moral danger to short-term safe accommodation or returning them to their homes), ‘Follow-up’ (The government agency responsible to ensure that the targeted are provided with access to care agencies, both government and non-government who are responsible for assisting families and carers) and, last of all, ‘Debrief’ (Key workers and agencies involved in the policy to meet and discuss issues to improve the policy).

The implementation and execution of the youth curfew was not without controversy and criticism from some youth organisations, police agencies, civil liberties groups and the community. However, after a year of implementation, the Department of the Premier and Cabinet published a report on the progress of the *Northbridge Strategy*, stating that the policy has made ‘*substantial and*

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<sup>28</sup> Young People in Northbridge Policy: WA State Government, 2003, pg.1

<sup>29</sup> *Children and Community Services Act 2004 (WA)* - section 41

<sup>30</sup> Ibid

*significant inroads into resolving the issues associated with unsupervised young people on the streets of the precinct at night.*<sup>31</sup>

Overall, crime statistics have dropped in the area and this can be attributed partly to the outcomes of the *Young People in Northbridge Policy*. Since the inception of the policy, there has been a reduction of 20% of arrests for juveniles and 25% of arrests for adults.<sup>32</sup> Furthermore, there has been a clear reduction in the number of weekly apprehensions since the introduction of the policy. After three years of implementation, it was found that there was a direct 35% drop in juvenile behaviour problems.<sup>33</sup>

However, while the Northbridge youth curfew has worked largely without major difficulties, the model's viability in the Alice Springs area is questionable. The operational geographic boundaries and surrounding area are completely different between the two areas. While the Northbridge precinct is an easily containable curfew area, the Alice Springs district, including the CBD and surrounding suburbs, would require significant numbers of police and youth workers to be assembled to successfully administer and supervise the area (please refer to diagrams 1 and 2 in the Appendices).

In addition, there are differences in funding and resource allocation that are available to the two communities. To execute this kind of operation and to achieve successful outcomes requires large-scale involvement from community and youth organisations as well as the increased police presence resulting in diversion from other duties.

The Northbridge model has not been itself without problems in regards to its implementation. There are many obstacles such as resolving efficiencies in the police transporting arrangements, public information and understanding of the policy and managing chronic re-offenders.

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<sup>31</sup> *State Government Northbridge Strategy - Young people in Northbridge Policy – One year on*, Office of Crime Prevention, Department of the Premier and Cabinet June 2004, Policy Update June 2004

<sup>32</sup> Ibid

<sup>33</sup> Ibid

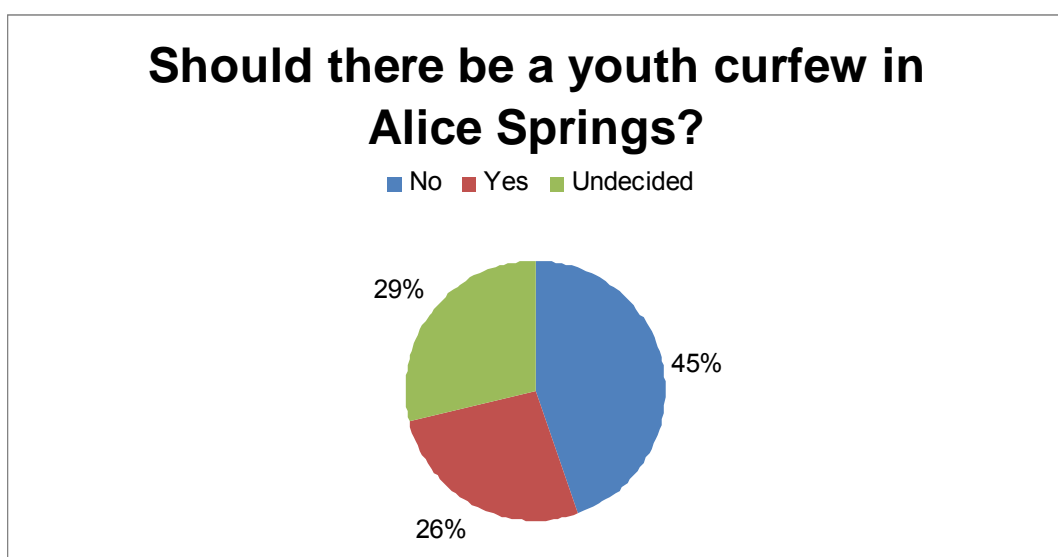
## Survey Findings

The team decided to use a survey to gather the views of the general public of the Alice Springs community. A wide range of ages, genders and ethnicities were targeted however, the majority were focused on young people between the ages of 12 and 25. A number of questions relating to the proposed youth curfew were prepared and distributed throughout the Alice Springs community. Generally, the survey questioned the participant's views on the curfew in regards to its effectiveness, appropriateness and outcomes of the proposed youth curfew.

A total of 426 people responded to the survey and it was from this data that we could evaluate the general response to the proposed youth curfew by residents of Alice Springs. As shown in the table and pie graph below, the residents of Alice Springs do not wholeheartedly support the idea of a youth curfew. Nearly half (45%) of participants said no to a youth curfew and 26% of participants agreed to it. However, 29% of those surveyed said they were undecided on the matter. Clearly, these results show that there is either a lack of information or interest surrounding the issue in Alice Springs. However, lack of information seems a more likely reason behind the results due to the lack of discussion and consultation with the community so far.

Table Results: Should there be a youth curfew in Alice Springs?

	No of Respondents	Percentage
NO	191	45%
YES	112	26%
UNDECIDED	123	29%



The next question was, "Would a youth curfew decrease anti-social behaviour in Alice Springs?" The majority of participants (53%) formed the opinion that a

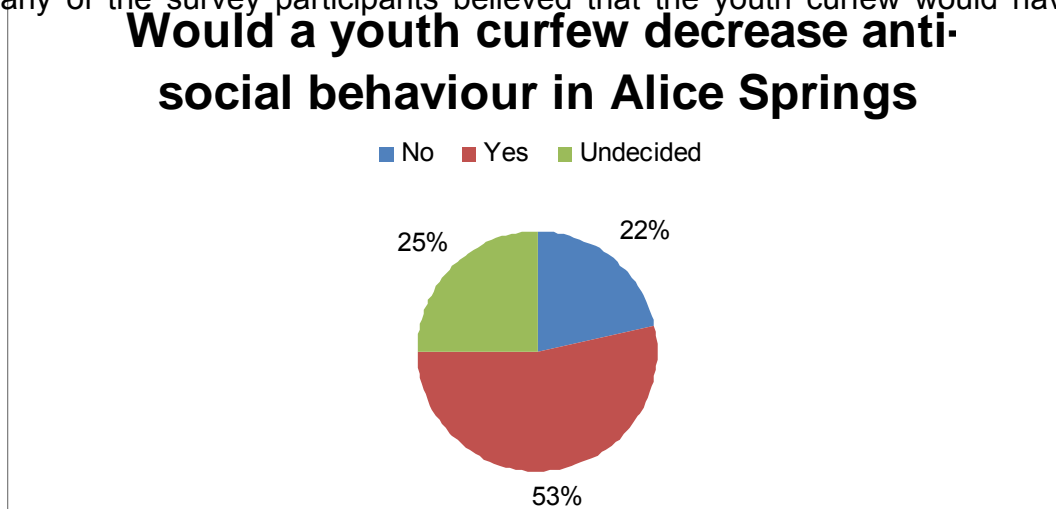
youth curfew would decrease anti-social behaviour with 25% saying it wouldn't and the remainder (22%) undecided.

Our general interpretation of the data provided through the survey was that the Alice Springs community was generally undecided and divided on the best course of action concerning the youth curfew. We partially attribute this result to a lack of discussion and definite information on the issue. The curfew's controversial nature was reflected through the survey's results. Advocates of the curfew supported their claims mainly on their opinion that a youth curfew would reduce youth crime and that a tough approach was needed to deal with youth anti-social behaviour. Main opposition to the curfew was raised in the survey through issues such as curfew operational issues and ethical issues. Also, many other potential alternatives were proposed such as more funding and involvement in youth organisations and other suitable activities for youth.

Table Results: Would a youth curfew decrease anti-social behaviour in Alice Springs?

	No of Respondents	Percentage
NO	92	25%
YES	227	53%
UNDECIDED	107	22%

Many of the survey participants believed that the youth curfew would have



potential benefits. The major benefit of a youth curfew in Alice Springs suggested by survey participants was that there will be less crime and antisocial behaviour. This is reflected in the survey results with 53% of participants stating that a youth curfew would decrease antisocial behaviour. Other than this potential benefit there were no other benefits suggested.

As well as asking participants what the potential benefits would be we also asked them what they thought the potential problems would be. Every one of the survey contributors mentioned that they thought the major problem in implementing the youth curfew was that there is not enough police in Alice Springs to enforce such a proposal. If it was the police who would be in

charge to enforce the curfew, many participants said that this would be detrimental to the relationship between young people and the police force.

Also if the police couldn't enforce the curfew some people suggested community groups and youth services work collaboratively to help implement the youth curfew. Another major problem of implementing a curfew in Alice Springs is that many of the young people said that they and others would rebel. The contributors expressed that they will lose rights with the implementation of a youth curfew and that would increase antisocial behaviour not decrease it.

We also asked survey contributors to include other suggestions instead of using a youth curfew. Most people said that parents needed to take more responsibility. They believe that the problem of antisocial behaviour by youth is not just the responsibility of the government and police but the parents or guardians.

Another proposal by a majority of participants was for the council and the NTG to implement more community and recreational activities for the young people of Alice Springs. A majority of young people believe that Alice Springs doesn't have enough to do and that is why they occupy the streets at night. One recreational activity suggested by a few participants was an underage nightclub or youth discos. A few young people also suggested that there should be an increase of funding for youth services. Another suggestion was to fine young people for antisocial behaviour. The most popular suggestion was to fine people financially.

## **Conclusion**

In conclusion, our team has come to the decision that a youth curfew in Alice Springs would not only be a waste of resources and virtually impossible to administer, but a gross infringement on the rights of young people in Alice Springs. Under the *Child Welfare Act*, police and welfare agency workers already have powers to pick up vulnerable children and police can intervene in illegal acts done by youth, so therefore a curfew does not necessarily have to be in place.

While many people seem to think that youth curfews are a stop-gap solution, they actually are bandaid answers to extensive and far-reaching problems of violence and crime within a community. The reality is that some young people feel safer on the streets of Alice Springs rather than in homes full of violence, drugs and alcohol. Curfews may present an 'out of sight, out of mind' solution, but until we address these issues, they will continue to grow and spiral, out of control, undermining not only the youth but the safety and well-being of the entire community. Chief Justice, David Malcolm, of the WA Supreme Court has said, "*Instead of merely targeting youth, we should be investing in our youth. A focus must be put on situational, community and, in particular, developmental forms of crime prevention*".

When we trade liberty for order, we effectively undermine the pillars of trust and responsibility within our community. Young people should have the right to travel freely and parents should have the right to control their children's behaviour. Young people who commit crimes should be punished by the law; however, youth who are guilty of nothing more than their mere presence should not be hindered and targeted.

Youth curfew laws restrict the rights of the young people themselves, as they restrain them for a very questionable reason. There are much more effective methods of dealing with a crime problem, as the enforcement of curfew laws is very costly. Not only do these laws violate the rights of the youths they target; they are immoral, ineffective, and inefficient. Taking all of these factors into account, the proposed youth curfew should be abolished and further discussion and consultation should be prepared to address these extensive issues in a more effective and progressive manner.

## **Recommendations**

Judging from the major findings of this report, our team has concluded that a youth curfew in Alice Springs would not be appropriate in this present situation. From our findings we believe that a youth curfew will not reduce youth crime and anti-social behaviour.

Research indicates that punishment, coercion and negative types of justice are linked to an increase in violence and anti-social behaviour. By ostracising young people, this severs their bond with the community and reduces the likelihood of creating community-minded, well-adjusted members of society.

We acknowledge there is a problem with young people on the streets in Alice Springs and this must be addressed in order to create a safer community for all. Young people in Alice Springs are deemed to be the centre point of many social problems, but the extent of youth involvement in these issues is minimal and hardly worth the expense of major funding and resources being allocated to the development of the proposed youth curfew. We recommend that the funding would be better spent in numerous youth organisations and government projects that are already in place or that are more far reaching and relevant to the community.

Youth issues in Alice Springs are deeper and more complicated than currently assumed by the general public and many agencies and organisations are involved. We recommend that any new policy dealing with youth crime prevention should address underlying social issues and reasons why young people are roaming the streets late at night. There are many key issues behind youth violence and crime, such as family conflict and dysfunction, bad parenting, and lack of recreation etc. These social issues should be the priority of any government and community, rather than targeting young people who are more likely to be products of their dysfunctional environments.

These social issues are part of extensive social problems that exist in our society that have led to these youths to act in an anti-social manner and endanger themselves and others. Young people are one of the most vulnerable portions of our society and their well-being and safety is paramount to creating a progressive future.

Our recommendation to the parties concerned is that there should be more funding and resources allocated to community youth organisations within the Alice Springs region. A more tolerant and accepting approach by all members of the community in regards to youth problems should be applied, while influencing factors on young people's lives should not be ignored.

## **APPENDICES**

1. Youth Curfew Survey
2. Map of Alice Springs
3. Map of the Northbridge Precinct (Western Australia)



Are you a young person (12-25 years of age) living in Alice Springs? If so, we need your help! This is a quick survey to find out what people know and feel about a youth curfew in Alice Springs.

<b>Age</b>	<b>Suburb/Community</b>
<b>Gender</b> <input type="checkbox"/> Female <input type="checkbox"/> Male	<b>Name of School or Work (if applicable)</b>
<b>What's the main language spoken at home?</b>	<b>Are you of Aboriginal or Torres Strait Islander origin?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

1. Do you think that there should be a youth curfew in Alice Springs?  
 Yes     No     Undecided

Why?

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Do you think a youth curfew would assist in reducing crime and increasing safety in Alice Springs?

- Yes     No     Undecided

2. If a youth curfew was introduced, what age group and time do you think should be targeted?

Age \_\_\_\_\_ Time \_\_\_\_\_  
 Days \_\_\_\_\_

3. Who should enforce the youth curfew?

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4. What punishments would be appropriate to those breaking the youth curfew? (Jail time for youth or parents, fines.etc)

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5. What do you think potential benefits of a youth curfew are?

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6. What do you think potential problems of the youth curfew will be?

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7. What could be done to fix youth problems in Alice Springs without using a curfew?

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**PLEASE RETURN COMPLETED SURVEY BY 00/00/2007 TO:**

Diagram 1: Map of Alice Springs

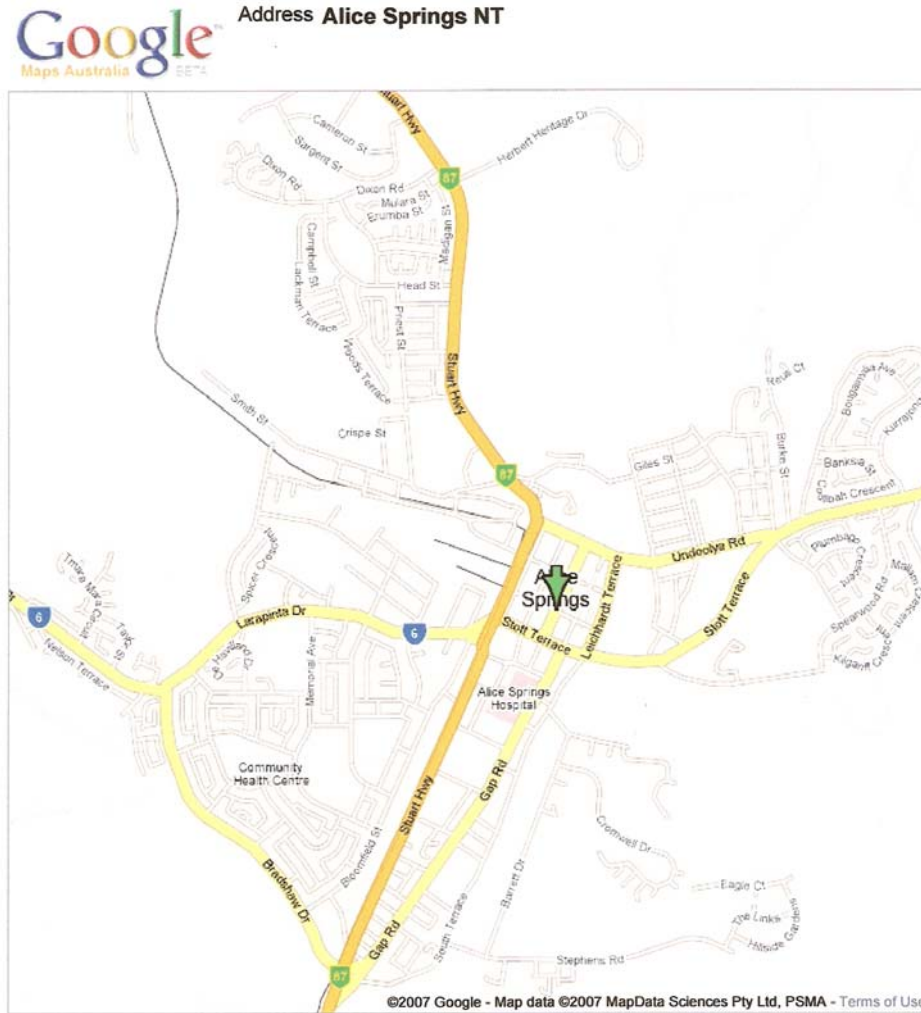
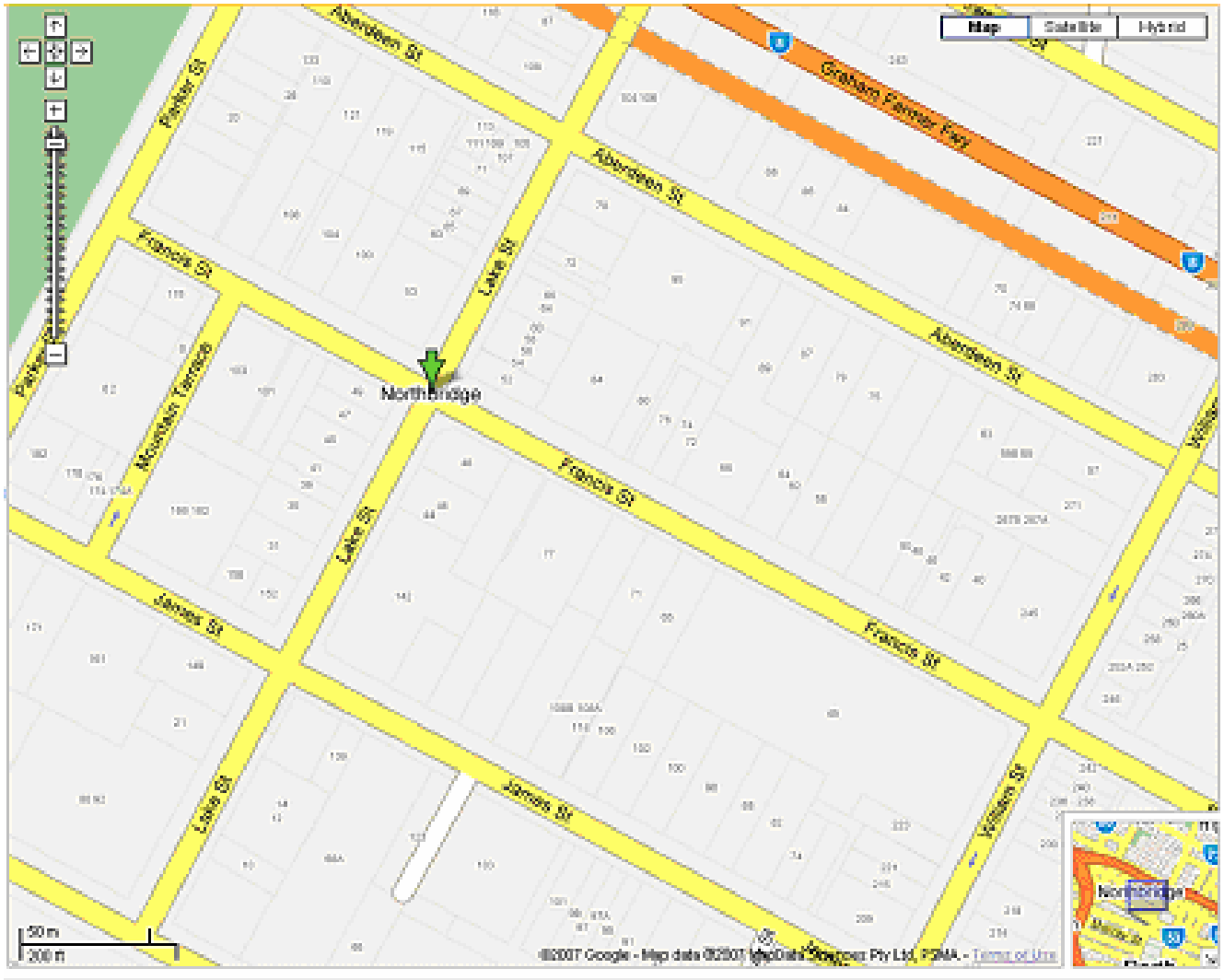


Diagram 1: Map of the Northbridge Precinct (Western Australia)



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